

JOURNAL OF THE FLORIDA SENATE

Thursday, April 19, 1973

The Senate was called to order by the President Pro Tempore at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

INTRODUCTION

By Senator Sayler (By request)—

SB 687—A bill to be entitled An act relating to financial matters; amending §215.47(3) and (4), Florida Statutes, to increase from 65 to 90 percent the investment permitted certain funds in specified interest bearing corporate obligations; providing that investment of certain trust or agency funds in stock or interest bearing obligations of certain corporations or in specified types of annuities not exceed 25% of any such funds and that not more than 3% of any fund may be invested in securities of any one corporation; repealing §215.47(2)(c) and (d), relating to investment limitations; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Senator Firestone—

SB 688—A bill to be entitled An act relating to condominiums; amending §711.20(1), Florida Statutes; prohibiting liens against the several condominium parcels of a residential condominium for failure to pay rent on leased land in the condominium at the time of its creation or certain other expenses; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Firestone (By request)—

SB 689—A bill to be entitled An act for the relief of Charles A. Kelly; making appropriations to compensate him for the loss of salary and expense allowances as probation and parole officer for the criminal court of record in and for Dade County, a position to which he was lawfully appointed by the governor, by the abolishment of such position by the Dade County board of county commissioners and the legislature; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Gillespie—

SB 690—A bill to be entitled An act relating to assessment of subsurface rights in real property; amending §193.481(1), Florida Statutes; providing for annual returns; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Ways and Means.

By Senator Firestone—

SCR 691—A concurrent resolution proposing an interim study by a joint select committee of the legislature of the various forms of civil service and merit systems in Florida for law enforcement officers; providing for a report as to the feasibility of creating minimum standards of civil service for law enforcement officers.

—was read the first time and referred to the Committee on Rules and Calendar.

By Senator Sayler—

SCR 692—A concurrent resolution expressing profound regret at the passing of President Harry S. Truman.

—was read the first time and placed on the calendar without reference.

By Senator Pettigrew—

SB 693—A bill to be entitled An act relating to supplemental procedures for annexation; amending §171.16(4), Florida Statutes, 1972 Supplement, as created by §1, chapter 72-2, Laws of Florida, providing for nonapplicability in counties which provide for an exclusive method of annexation; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Senator Pettigrew—

SB 694—A bill to be entitled An act relating to pollution control boards; creating §403.048, Florida Statutes; providing definitions; providing for disclosure of income by pollution control board members; providing for filing statement with the secretary of state; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Senator Pettigrew—

SJR 695—A joint resolution to delete sections 4, 12, 13, 14 and 16, article XII of the state constitution containing obsolete schedule items.

—was read the first time and referred to the Committee on Governmental Operations.

By Senator Firestone—

SB 696—A bill to be entitled An act relating to the legislative office buildings; amending §272.16, Florida Statutes, to provide that certain portions of those buildings are under the control of their respective houses; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Pettigrew and Gordon—

SB 697—A bill to be entitled An act relating to the state and county officers and employees retirement system; amending §122.061, Florida Statutes, adding subsection (4) thereto; providing that employees of a county-operated or hospital district-operated hospital, the operation of which has been assumed by a nonprofit corporation, may continue as members of the Florida state and county officers and employees retirement system while employees of such nonprofit corporation; requiring the nonprofit hospital corporation to pay into the Florida state and county retirement system the amounts required thereunder; authorizing the nonprofit hospital corporation to deduct the appropriate amounts from the salaries of the electing employees; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Johnson—

SB 698—A bill to be entitled An act relating to public buildings; requiring minimum construction standards in buildings constructed in whole or in part with public funds, including schools; providing for standards and for compliance by certain agencies; providing applicability; repealing §§235.26(4), and 255.042, Florida Statutes, relating to shelter in public buildings; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Senator Johnson—

SB 699—A bill to be entitled An act relating to construction of buildings; providing a building code applicable to the state; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Senator Scarborough—

SB 700—A bill to be entitled An act relating to workmen's compensation amending subsection (1), (2), and (3) of Section 440.16, Florida Statutes, to increase the maximum compensation for actual funeral expenses to the sum of one thousand dollars (\$1,000.00); to change the total maximum compensation on account of dependency upon a deceased employee from that of a period of three hundred fifty weeks or fifteen thousand dollars, to a maximum sum, based upon a formula equalling sixty-six and two-thirds percent of the statewide average weekly wage; to increase the compensation to a widow or widower from thirty-five per cent of the decedent employee's average weekly wage to fifty percent of the decedent employee's average weekly wage; to continue compensation payments to, or on account of, dependent children for periods of enrollment as full-time students in accredited institutions of higher learning or in trade or vocational institutions until the attainment of twenty-five years of age; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

By Senators Pettigrew and Graham—

SB 701—A bill to be entitled An act relating to local ad valorem tax relief; amending chapter 196, Florida Statutes, by adding a new part II; providing for annual grants of tax relief from local ad valorem taxes to qualified households; providing definitions and procedures; providing for administration and distribution; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Trask—

SB 702—A bill to be entitled An act relating to the sale of securities; amending section 517.12(4), Florida Statutes, to provide for filing surety bond by dealers not members of Securities Investors Protection Corporation; and providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Pettigrew—

SB 703—A bill to be entitled An act relating to firearms, bombs and machine guns; amending §790.15, Florida Statutes; amending §790.16(1), Florida Statutes, as amended by section 5, chapter 72-724, Laws of Florida; prohibiting the discharge of firearms or machine guns, or the throwing of bombs on or over the right-of-way of any public road, highway, or street; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committee on Criminal Justice.

By Senator Poston—

SB 704—A bill to be entitled An act relating to the relief of John D. Cruz; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Plante—

SB 705—A bill to be entitled An act relating to Chapter 560, Florida Statutes, and the "Sale of Money Orders Act"; amending section 560.04(1), Florida Statutes, to require the filing of financial statements; amending subsections (1) and (2) of section 560.06, Florida Statutes, to provide that investigation fees shall be paid by the applicants; amending section 560.09, Florida Statutes, to provide for renewal of certificates of agents or subagents; amending section 560.10, Florida Statutes, to provide for the registration of agents and subagents, payment of a fee of five dollars, and requiring a list of all agents issuing money orders in the State of Florida; amending section 560.13, Florida Statutes, by numbering present introductory paragraph as subsection (1) and adding new subsection (2) to provide that, if reasonable grounds exist, the department may examine the books and records of a licensee and charge the reasonable cost of such examination to the licensee; adding new section 560.511, F.S., to provide that all fees collected under this act shall be paid into the department's regulatory trust fund to be used for the purpose of administering this act; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senator Plante—

SB 706—A bill to be entitled An act relating to retail installment sales under Parts I, II, III and IV of Chapter 520, Florida Statutes, amending Part I of said chapter by amending subsection (3) of section 520.03, F.S., to raise the annual license fee for a sales finance company from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00), raising the annual license fee for the principal place of business of each retail installment seller of motor vehicles from ten dollars (\$10.00) to twenty-five dollars (\$25.00); and providing for a separate license for each branch location of a retail installment seller; amending Part II of §520.32(1), Florida Statutes, providing an annual license fee of ten dollars (\$10.00) instead of five dollars (\$5.00) to be levied upon retail sellers; amending subsection (1) of section 520.52, F.S., to raise license fees from twenty-five (\$25.00) to one hundred dollars (\$100.00) for each principal place of business of each sales finance company and to raise the separate fee for each branch by the same amount; and to eliminate present licensing exceptions for small loan lenders and registrants under chapters 516, F.S., and 519, F.S., respectively; amending Parts I and III by amending section 520.05(1) and 520.55(1), F.S., to raise the daily examination fee for a sales finance company and amending Part IV by amending section 520.96(2), F.S., to raise the daily examination fees for a home improvement finance agency, salesman or contractor, with all such fees to be raised from thirty-five dollars (\$35.00) per day to fifty (\$50.00) per day for each examiner; providing an effective date.

—was read the first time by title and referred to the Committees on Consumer Affairs and Ways and Means.

By Senator Myers (By request)—

SB 707—A bill to be entitled An act providing for the relief of Richard Polley; providing an appropriation; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 707.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Firestone (by request)—

SB 708—A bill to be entitled An act relating to pensions; creating §291.325, Florida Statutes, and adding subsection (3)

to §238.171, Florida Statutes, 1972 Supplement, to provide cost-of-living adjustments for confederate pensions and for monthly allowances for incapacitated teachers; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Poston—

SB 709—A bill to be entitled An act relating to highway designation; naming State Road 136 as the "Stephen Foster Memorial Highway"; authorizing and directing the department of transportation to erect suitable markers on said highway; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senators Pettigrew and Saylor—

SB 710—A bill to be entitled An act relating to local government; providing procedures and standards for creation, incorporation, dissolution and boundary adjustments of units of local government; providing for powers of municipalities; providing for transfer of certain special acts to municipal ordinances and methods for repeal or amendment; providing for creation of a legislative committee on local government formation and boards thereof; providing powers and duties, including issuance of orders and subpoenas; providing for membership, appointment and compensation; providing alternative proceedings for adoption of an approved plan for formation or boundary adjustment and judicial review; providing for issuance of municipal bonds; providing for municipal taxation; authorizing ad valorem taxation pursuant to the state constitution; prohibiting special act or charter limitations on general grants of taxing power; repealing charter and special law limitations on taxing power authorized by the constitution or general law; providing for regulatory fees; providing for municipal public service taxes on purchase of electricity, metered or bottled gas, fuel oil or kerosene, water service, telephone and telegraph service and cable television service; providing exemptions and procedures; providing for municipal fiscal years, audit, appropriations and financial reporting; providing for extraterritorial powers for certain services and development planning; providing for eminent domain; providing conditions, limitations and procedures; providing for transfer of certain existing sections to appropriate chapters; amending section 165.25, Florida Statutes; repealing chapters 165, 166, 167, 168, 169, 171, 172, 174, 176, 178, 180, 181, 183, and 184, Florida Statutes, and all existing sections thereof not otherwise transferred; providing legislative intent and purpose; providing severability; providing for liberal construction; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Gillespie—

SB 711—A bill to be entitled An act relating to schools; providing grants for the inclusion of protective shelters in new primary and secondary schools; providing for applications and requirements; providing for final approval by the state board of education; providing for rules and regulations; providing for participation in federal, state, and private assistance; providing an appropriation; providing an effective date and an expiration date.

—was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senators Horne and de la Parte—

SB 712—A bill to be entitled An act relating to the Florida agricultural and mechanical university; providing an appropriation for dormitory renewal, replacement, renovation and repair; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Trask—

SB 713—A bill to be entitled An act relating to designation of a state insect and a state reptile; providing for a referendum by Florida school students in grades three through twelve to select an official state insect and an official state reptile.

—was read the first time by title and referred to the Committee on Education.

By Senator Lane (31st)—

SB 714—A bill to be entitled An act relating to recreation and parks; creating §592.072, (3) (a) (b) (c) (d), Florida Statutes; providing that the division of recreation and parks of the department of natural resources exempt certain elderly and disabled residents from admittance fees to state parks; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Pettigrew—

SB 715—A bill to be entitled An act relating to local government; reenacting and amending part II of chapter 218, Florida Statutes, relating to revenue sharing; providing for trust funds; providing for eligibility and distribution; providing for apportionment; providing limitation on funds and for protection of bonds; providing for administration; providing conditions and procedures; amending chapter 218, Florida Statutes, by adding a new part III, relating to local financial management and reporting; providing for financial reporting by all units of local government; providing uniform fiscal years and authority to develop and implement uniform accounting procedures; providing certain budgeting requirements and procedures; providing optional procedures for counties and municipalities in relation to special districts within their boundaries; providing procedures, reports and penalties for failure to comply; providing for removal or modification of special act or charter restrictions inconsistent with this act; repealing chapter 128, Florida Statutes, and sections 167.61, 216.111(2) and 145.12, Florida Statutes; amending subsections 30.49(4), (5), and (10), 129.01(2) and 129.03(2), Florida Statutes; amending chapter 193 and 200, Florida Statutes, by adding new sections 193.115 and 200.191, Florida Statutes, respectively, to provide definitions of millages and other information necessary for revenue sharing; amending section 20.18, Florida Statutes, to provide for transfer by a type four transfer of financial reporting functions under this act to department of community affairs; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senators Myers, Ware, Gillespie and Henderson—

SB 716—A bill to be entitled An act relating to an interstate agreement on detainees; providing procedures whereby a prisoner in one state can request to be brought to trial within one hundred eighty (180) days in another jurisdiction in order to determine the final disposition of all pending untried indictments, informations or complaints on the basis of which a detainee has been lodged against him; providing procedures whereby prosecuting authorities shall secure prisoners incarcerated in other jurisdictions for trial prior to the expiration of their sentences; providing for the promulgation of rules and regulations concerning the operation of this interstate agreement by the director of the division of corrections of the department of health and rehabilitative services; providing an effective date.

—was read the first time by title and referred to the Committee on Criminal Justice.

By Senators Childers and Henderson—

SB 717—A bill entitled An act relating to insurance; amending section 626.731(2), Florida Statutes, removing the residency requirement for an applicant for an industrial fire insurance license; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senators Childers and Henderson—

SB 718—A bill to be entitled An act relating to insurance; amending section 626.729, Florida Statutes, increasing the policy amount for an industrial fire insurance policy on one risk from \$5,000.00 to \$10,000.00; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Senate recessed at 8:42 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum was present—39:

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Excused: Senator Gallen.

Prayer by Rev. Lucene Sims, Chaplain Sunland Hospital:

Thank you God for big red apples and for being God. Help us to notice how you help in the small details of life as well as the big. Thank you for the beauty of the day and the beauty of one another. We praise you for the season and the awareness of God that it brings. We praise you for being stronger than negative forces that would encompass us, and we take on your positive approach to life.

We offer you thanksgiving for being strong when we are weak, for having an answer when there seems to be no answer, for being good when we are bad, and for allowing us to be within the circle of your compassion.

As our Senators for the great State of Florida meet today to set about the task at hand we ask that you help them to have their minds clear and that by divine grace personal frustrations and anxieties be sublimated to a small part of life, and not allowed to loom large and threatening. God, may they consciously listen to your guidance. Grant peace of mind as decisions are made that affect so many lives in our State.

Because of the pressure of time give strength, O Lord, for there is so much to be done in so few days. May they know you are there, and that we love them and are concerned for them as they take care of the affairs of state. In the words of Phillips Brooks, we do not pray for easy lives, but to be strong men. We do not pray for tasks equal to our powers; but we pray for powers equal to the task, and then the doing of our work shall be no miracle, but we shall be a miracle by the grace of God.

Direct us, O Lord, in all our doings, with thy most gracious favor, and further us with thy continual help, that in all our works, begun, continued, and ended in you, we may glorify your holy name. This we ask in Jesus' name. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Thursday, April 19, 1973:

SCR 655—Senator Irlo Bronson Resolution to be considered at 10:00 a.m.

SB 92	SB 406	SJR 359	SB 434
SCR 258	SB 488	SB 360	SB 442
SB 219	SB 478	SB 419	SB 327
SB 473	HB 438	SB 441	HB 281

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Agriculture recommends the following pass: SB 388 with 1 amendment, SB 539, SB 617, SB 618

The Committee on Commerce recommends the following pass:

SB 124	SB 393 with 4 amendments
HB 348	SB 508 with 1 amendment

The Committee on Governmental Operations recommends the following pass:

SB 172 with 2 amendments	SB 430 with 4 amendments
SJR 259 with 3 amendments	SB 456

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Commerce recommends a Committee Substitute for the following: SB 344 (and 507)

The Committee on Commerce recommends a Committee Substitute for the following: SB 484 with 2 amendments

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 306

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Commerce recommends the following not pass: SB 267

The bill was laid on the table.

The Select Subcommittee of the Governmental Operations Committee recommends SB 172 with 2 amendments; SB 430 with 4 amendments favorably to the standing committee. No action taken on SB 79—further extension of time requested (8 days given by chairman).

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 286 with 1 amendment	SB 410 with 1 amendment
SB 300 with 1 amendment	

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

ELMER O. FRIDAY, Secretary

The bills were certified to the House.

Your Engrossing Clerk to whom was referred SB 223 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

ELMER O. FRIDAY, Secretary

The bill was placed on the Calendar on third reading.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred SCR 302 reports same has been enrolled, signed by the required Constitutional officers and filed with Secretary of State on April 19, 1973.

ELMER O. FRIDAY, Secretary

Senator Mallory E. Horne
President, The Florida Senate
The Capitol

April 17, 1973

Dear Mr. President:

Your Standing Committee on Commerce to whom was referred for inquiry and recommendation the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Pat McCann Miami	Director, Division of Pari-Mutuel Wagering	Pleasure of the Board of Business Regulation

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Board of Business Regulation.

Respectfully submitted,

<i>LEW BRANTLEY, Chairman</i>	<i>SHERMAN WINN,</i>
<i>W. D. CHILDERS</i>	<i>Vice Chairman</i>
<i>TOM GALLEN</i>	<i>DEMPSEY J. BARRON</i>
<i>KENNETH PLANTE</i>	<i>WARREN HENDERSON</i>
<i>CHARLES H. WEBER</i>	<i>DAN I. SCARBOROUGH</i>

On motion by Senator Brantley, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointment set forth in the foregoing report. The vote was:

Yeas—35

Mr. President	Gordon	Pettigrew	Sykes
Barron	Graham	Plante	Trask
Brantley	Gruber	Poston	Vogt
Childers	Henderson	Saunders	Ware
Deeb	Johnson	Saylor	Weber
de la Parte	Lane (23rd)	Scarborough	Wilson
Firestone	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senator Lane (31st) was recorded as voting yea.

Senator Mallory E. Horne
President, The Florida Senate
The Capitol

April 17, 1973

Dear Mr. President:

Your Standing Committee on Commerce to whom was referred for inquiry and recommendation the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Kenneth L. Stivers Tallahassee	Director, Division of General Regu- lation	Pleasure of the Board of Business Regulation

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Board of Business Regulation.

Respectfully submitted,

<i>LEW BRANTLEY, Chairman</i>	<i>SHERMAN WINN,</i>
<i>W. D. CHILDERS</i>	<i>Vice Chairman</i>
<i>TOM GALLEN</i>	<i>DEMPSEY J. BARRON</i>
<i>KENNETH PLANTE</i>	<i>WARREN HENDERSON</i>
<i>CHARLES H. WEBER</i>	<i>DAN I. SCARBOROUGH</i>

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Yeas—35

Mr. President	Gordon	Pettigrew	Sykes
Barron	Graham	Plante	Trask
Brantley	Gruber	Poston	Vogt
Childers	Henderson	Saunders	Ware
Deeb	Johnson	Saylor	Weber
de la Parte	Lane (23rd)	Scarborough	Wilson
Firestone	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senator Lane (31st) was recorded as voting yea.

Senator Mallory E. Horne
President, The Florida Senate
The Capitol

April 17, 1973

Dear Mr. President:

Your Standing Committee on Commerce to whom was referred for inquiry and recommendation the following executive appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Thomas R. Pledger West Palm Beach	Member, Board of Business Regulation, State of Florida Department of Business Regulation	Pleasure of the Governor

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

<i>LEW BRANTLEY, Chairman</i>	<i>SHERMAN WINN,</i>
<i>W. D. CHILDERS</i>	<i>Vice Chairman</i>
<i>TOM GALLEN</i>	<i>DEMPSEY J. BARRON</i>
<i>KENNETH PLANTE</i>	<i>WARREN HENDERSON</i>
<i>CHARLES H. WEBER</i>	<i>DAN I. SCARBOROUGH</i>

On motion by Senator Brantley, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointment set forth in the foregoing report. The vote was:

Yeas—35

Mr. President	Gordon	Pettigrew	Sykes
Barron	Graham	Plante	Trask
Brantley	Gruber	Poston	Vogt
Childers	Henderson	Saunders	Ware
Deeb	Johnson	Saylor	Weber
de la Parte	Lane (23rd)	Scarborough	Wilson
Firestone	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senator Lane (31st) was recorded as voting yea.

Senator Mallory E. Horne
President, The Florida Senate
The Capitol

April 17, 1973

Dear Mr. President:

Your Standing Committee on Commerce to whom was referred for inquiry and recommendation the following executive appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Don L. Spicer Tallahassee	Secretary, Department of Commerce	Pleasure of the Governor

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

LEW BRANTLEY,
Chairman
W. D. CHILDERS
TOM GALLEN
KENNETH PLANTE
CHARLES H. WEBER

SHERMAN WINN,
Vice Chairman
DEMPSEY J. BARRON
WARREN HENDERSON
DAN I. SCARBOROUGH

On motion by Senator Brantley, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointment set forth in the foregoing report. The vote was:

Yeas—35

Mr. President	Gordon	Pettigrew	Sykes
Barron	Graham	Plante	Trask
Brantley	Gruber	Poston	Vogt
Childers	Henderson	Saunders	Ware
Deeb	Johnson	Sayler	Weber
de la Parte	Lane (23rd)	Scarborough	Wilson
Firestone	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senator Lane (31st) was recorded as voting yea.

Senator Mallory E. Horne
President, The Florida Senate
The Capitol

April 17, 1973

Dear Mr. President:

Your Standing Committee on Commerce to whom was referred for inquiry and recommendation the following executive appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Edward J. Trombetta Fort Lauderdale	Secretary, Department of Community Affairs	Pleasure of the Governor

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

LEW BRANTLEY,
Chairman
W. D. CHILDERS
TOM GALLEN
KENNETH PLANTE
CHARLES H. WEBER

SHERMAN WINN,
Vice Chairman
DEMPSEY J. BARRON
WARREN HENDERSON
DAN I. SCARBOROUGH

On motion by Senator Brantley, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointment set forth in the foregoing report. The vote was:

Yeas—35

Mr. President	Gordon	Pettigrew	Sykes
Barron	Graham	Plante	Trask
Brantley	Gruber	Poston	Vogt
Childers	Henderson	Saunders	Ware
Deeb	Johnson	Sayler	Weber
de la Parte	Lane (23rd)	Scarborough	Wilson
Firestone	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senator Lane (31st) was recorded as voting yea.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Brantley, SB 531 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motions by Senator Barron, by two-thirds vote Senate Bills 326, 393 and 350 were placed at the end of the Special Order calendar.

On motion by Senator Myers, SB 102 was withdrawn from the Committee on Ways and Means by two-thirds vote and referred to the Committees on Criminal Justice and Ways and Means.

On motions by Senator Myers, SB 78 was withdrawn from the Committees on Health and Rehabilitative Services and Ways and Means by two-thirds vote and referred to the Committees on Criminal Justice and Ways and Means.

REQUESTS FOR EXTENSION OF TIME

The Committee on Governmental Operations requests an extension of 10 days for the consideration of the following:

SB 464 by Senator Firestone	SB 502 by Senator Pettigrew
SB 470 by Senator Poston	SB 505 by Senator Pettigrew
SB 472 by Senator Brantley	SB 513 by Senator Myers
SB 487 by Senator Poston	SB 514 by Senator Glisson
SB 493 by Senator Vogt	SB 515 by Senator Glisson
SB 497 by Senator D. Lane	SB 519 by Senator Childers
SB 499 by Senator D. Lane	SB 522 by Senator Deeb

The Committee on Judiciary requests an extension of 10 days for the consideration of the following:

SB 465 by Senator Firestone	SB 504 by Senator McClain
SB 500 by Senator Lane (31st)	SB 524 by Senator Scarborough
SB 503 by Senator McClain	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President

April 18, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Redman and others—

HB 589—A bill to be entitled An act relating to budgeting and appropriations; amending §216.262(1)(a), Florida Statutes, 1971, relating to the number of positions authorized and provisions for increases in the number; amending §216.292, Florida Statutes, 1971, to delete authorization for transfer of appropriations by heads of departments; providing an effective date.

By Representative Baumgartner and others—

HB 332—A bill to be entitled An act relating to municipal elections; amending §98.041, Florida Statutes, to provide a single permanent registration system for all elections held within

a county, including municipal elections; amending §98.091, Florida Statutes, to provide procedures for municipal uses of county election books; providing that certain registered electors are qualified to vote in municipal elections; amending §98.031(1), Florida Statutes, as amended, to require precinct boundaries to conform to municipal boundaries; repealing §98.101(2), Florida Statutes, relating to election costs; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 589, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 332, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President April 17, 1973

I am directed to inform the Senate that the House of Representatives has adopted—

By Representative Fortune and others—

HCR 937—A concurrent resolution honoring Miss Jennifer Fortune, Florida's Junior Miss for 1973.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HCR 937, contained in the above message, was read the first time and placed on the calendar without reference.

Ruling on Point of Order

On April 17, during consideration of SB 188 (SJ 187) Senator McClain raised a point of order on the amendment by Senator Scarborough which sought to place the 'Equal Rights Amendment' ratification resolution to a human resources bill by Senator McClain. The support for the point was:

- (1) It springs from a constitutional amendment with which we are now dealing and requires a different vote than a general bill, and
- (2) The amendment as offered is not germane to the bill—it doesn't even refer to the same section, nor involve the act before us.

Subsequently, Senator McClain raised the additional point of order that the amendment was the identical substance of a bill heretofore laid upon the table by the unfavorable report of the Committee on Judiciary.

On question (1) raised by Senator McClain, the Chair rules that the factual basis for his point was in error and that neither the bill nor the amendment constitutes a constitutional amendment with the attendant disparity of required vote. The Chair was concerned that the amendment had been in the form of a concurrent resolution and the object of its attachment was a bill. On this question, the Chair rules the point not well taken. The Chair is not aware of any federal or state requirement that amendments to the federal constitution be ratified by any particular form or procedural vehicle. That is to say, the fact that the ratification effort had been filed in the form of a concurrent resolution is not to preclude its ratification by a bill.

Question (2) raised by Senator McClain involves the question of germanity. The Chair is not impressed with this argument. The question of germanity is a broad one and deals with an exclusion of amendments on *different subjects*. The bill deals with human relations and rejects discrimination. The object of the amendment is identical in subject and objective.

The 3rd point raised, however, by Senator McClain that the amendment constitutes, in nearly identical substance and form, a Senate measure laid upon the table by an unfavorable vote of a Senate committee, is well taken and the amendment by Sen. Scarborough is ruled out of order. The authority for this is identical to that appearing in the Journal on Pages 78 and 79 of April 5 in which the Chair ruled, ironically, on the same effort, viz., the ratification of the Equal Rights Amendment.

One cannot accomplish, by later bill or amendment, a circumvention of the effect of an unfavorable committee report.

Pursuant to the foregoing ruling, SB 188 was ordered engrossed.

PARLIAMENTARY PROCEDURE

On motion by Senator Poston, the following remarks by the President were ordered spread upon the Journal:

President: In response to a parliamentary inquiry by Senator Poston, I understand that yesterday, some inquiry was made as to the procedure for moving a bill back from third to second reading. Let me talk about the circumstances under which that is possible. This is not a ruling but a clarification of procedure, and his is a perfectly valid point of parliamentary inquiry. A bill reaches its third reading in two ways. One is by the passage of a constitutional day. When bill reaches a third reading by virtue of the passage of a constitutional day, then there is no way for it to return to second reading without a waiver of the rules. So you have to know how the bill reached third reading. If reached by the constitutional passage of a day, there is nothing you can do to avoid the two-thirds vote. On the other hand, if the bill reached second reading, was amended and, under the rule, formally, technically and automatically engrossed and you made a motion "to waive the rules and read the bill a third time and place it on its final passage", (which requires two-thirds vote, of course). Then if it receives that two-thirds vote, is read the third time and, during debate, it is desired by a majority of the Senate to further amend it and they want to do so on second reading by a majority vote, then there is a motion that can accomplish that. It takes two votes. You make a motion to reconsider the vote by which the rules were waived and the bill was read for the third time. That takes a majority vote. You take that vote then because it is collateral and the rule mandates you to take a collateral matter up now. If the majority of the Senate assents to the reconsideration, then the question recurs on the motion you want reconsidered. In other words, you vote again on the question, "will the rules be waived and the bill read a third time?" When you do that, if less than two-thirds vote for the waiver of the rules, then by a majority vote you have, in effect, reconsidered that bill and it's gone back to second reading. So then the bill is on second reading and eligible for amendment by majority vote.

Senator Wilson: Mr. President, clarification, if I may. Of the second of the two motions to take it back from third reading to second reading, does not the second motion, after you have gone by majority to reconsider and then you move the rules be waived, . . . that takes a two-thirds vote, doesn't it?

The President: There are not two motions, there are two votes. There is one motion, two votes. As far as the floor is concerned, you move that we reconsider the vote by which the rules were waived and Senate Bill 331 was read a third time and placed on its passage. Because it's collateral, the chair puts that question to the floor right now. Will you reconsider? If a majority of you say "yes", then immediately the question recurs on the motion by the Senator from the 3rd that the rules be waived and Senate Bill 331 be read a third time and placed on its final passage. Now, when you take that vote, the one wanting to go back to reconsideration asks for a "no" vote, so that you vote "no" on the question of waiver, and then you are automatically back on the second reading because that motion failed. One motion, two votes.

SPECIAL ORDER

SB 92—A bill to be entitled An act relating to intangible personal property tax exemptions; amending §199.072(1), Florida Statutes, adding paragraph (g) thereto; providing an exemption for United States uniformed services personnel classified as "prisoners of war" or "missing in action" and certain civilian personnel listed as prisoners or missing while serving in the Indo-Chinese theater; providing an effective date.

—was read the second time by title. On motion by Senator de la Parte, by two-thirds vote SB 92 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Firestone	Graham	Lane (31st)
Brantley	Gillespie	Henderson	Lewis
Childers	Glisson	Johnson	McClain
de la Parte	Gordon	Johnston	Myers

Peterson	Sayler	Trask	Winn
Pettigrew	Sims	Vogt	Zinkil
Plante	Smathers	Ware	
Poston	Stolzenburg	Williams	
Saunders	Sykes	Wilson	

Nays—None

SCR 258—A concurrent resolution commending President Richard M. Nixon for concluding an agreement to end the war and bring peace with honor in Vietnam and Southeast Asia, and inviting the President to address the Florida legislature.

—was read the second time.

Senator Graham moved the adoption of the following amendment:

Amendment 1—On page 2, line 7, insert: BE IT FURTHER RESOLVED that the Legislature of the State of Florida commends President Nixon for his courage, candor and discreet judgment in the preservation of respect for the judicial system and the constitutional responsibilities of the Congress through his expression of cooperation to the courts and the United States Senate in a full investigation and prosecution of the Watergate conspiracy.

Senator Sayler raised a point of order that the amendment was out of order in that the bill relates to peace in Southeast Asia and not to the Watergate.

The President ruled that a concurrent resolution of commendation is broad enough to accommodate enumerated commendations, the amendment simply added another to the resolution, the point not well taken and the amendment was in order.

Amendment 1 failed.

Senators Pettigrew and Poston offered the following amendment which was moved by Senator Pettigrew and failed:

Amendment 2—Add: We urge the President to bend all efforts of the U. S. Government to achieve peace with honor with Indian Nations at Wounded Knee, S.D.

On motion by Senator Smathers the following amendment was adopted:

Amendment 3—On page 1, line 12, between "Whereas" and "the peace agreement": insert: it is hoped

On motion by Senator Sayler, SCR 258 as amended was read in full, adopted and ordered engrossed. The vote was:

Yeas—36

Mr. President	Gordon	McClain	Smathers
Barron	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Ware
Firestone	Lane (31st)	Saunders	Weber
Gillespie	Lane (23rd)	Sayler	Wilson
Glisson	Lewis	Sims	Winn

Nays—None

CO-INTRODUCERS

By permission, Senators Barron, Brantley, Childers, Deeb, de la Parte, Firestone, Gillespie, Glisson, Gordon, Graham, Gruber, Henderson, Horne, Johnson, Johnston, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Peterson, Pettigrew, Plante, Poston, Saunders, Sims, Smathers, Stolzenburg, Sykes, Trask, Vogt, Ware, Weber, Wilson and Winn were recorded co-introducers of SCR 258.

The president introduced Dr. Mike Pickering, nephrologist, Lakeland, and Dr. A. Clarke Miller, orthopedic surgeon, Sarasota, as doctors of the day.

Senator de la Parte moved that the Senate reconsider the vote by which SCR 479 as amended failed to pass on April 18.

SB 219—A bill to be entitled An act relating to appellate proceedings; providing that assessment of attorney's fees allowed on appeal shall be remanded to the trial court; repealing paragraph (e) of rule 3.16, Florida appellate rules, relating to assessment of attorney's fees on appeal; providing for repeal of laws in conflict; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote SB 219 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Gruber	Plante	Vogt
Barron	Henderson	Poston	Ware
Brantley	Johnson	Saunders	Weber
Childers	Johnston	Sayler	Williams
Deeb	Lane (31st)	Scarborough	Wilson
Firestone	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	
Graham	Pettigrew	Trask	

Nays—None

Senator Scarborough presiding.

On motion by Senator Childers, consideration of SB 473 was deferred.

SB 406—A bill to be entitled An act relating to elections; amending §101.64(1) (c) and (2), Florida Statutes, and amending §101.65, Florida Statutes, 1972 Supplement, as amended by §9, chapter 72-63, Laws of Florida; to require two attesting witnesses on an absent elector certificate; providing an effective date.

—was read the second time by title.

The President presiding.

On motion by Senator Lewis, by two-thirds vote SB 406 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—None

SB 488—A bill to be entitled An act relating to probate law; amending §733.26(2) (e), Florida Statutes; providing that notice of application for the authorization or confirmation of sale of property for distribution by the personal representative is not required to be given to any person who has waived notice or consented to sale unless notice is ordered by the court; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 488 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Gruber	Pettigrew	Sykes
Barron	Henderson	Plante	Trask
Brantley	Johnson	Poston	Vogt
Childers	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Graham	Peterson	Stolzenburg	Zinkil

Nays—None

SB 478—A bill to be entitled An act relating to dower; amending §§731.34, 731.35(1)—(3), and 731.36, Florida Statutes; eliminating inchoate dower in real property; extending the right to elect dower to the surviving spouse; providing the procedure for the surviving spouse to elect dower; specifying the articles the surviving spouse may be entitled to in addition to dower; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 478 was read the third time by title, passed and certified to the House. The vote was:

Yeas—24

Mr. President	Graham	Plante	Sykes
Barron	Gruber	Poston	Trask
Brantley	Henderson	Sayler	Vogt
Firestone	Johnson	Scarborough	Ware
Gillespie	Lane (31st)	Sims	Wilson
Glisson	Peterson	Smathers	Winn

Nays—11

Childers	Johnston	Myers	Williams
de la Parte	Lewis	Saunders	Zinkil
Gordon	McClain	Stolzenburg	

By unanimous consent Senator Pettigrew was recorded as voting yea.

The President introduced to the Senate the following members of the family of the late Irlo Overstreet Bronson: Mrs. Bronson, wife; Mr. and Mrs. Frank Kelley, son-in-law and daughter; Mr. and Mrs. Drew Kelley, grandson and wife; Mrs. Vianne Smith, granddaughter; Mr. and Mrs. Irlo Bronson, Jr., son and daughter-in-law, Robert, Irlo, III, and Kellie Ann, grandchildren; Richard Tyner, cousin; and Colonel and Mrs. Lee Simmons, friends of the Bronson family. The presence of the Honorable Doyle Conner, Commissioner of Agriculture, was acknowledged by the President.

SCR 655—A Concurrent Resolution in Memoriam Irlo Overstreet Bronson.

—was read the second time in full. On motion by Senator Vogt, SCR 655 was adopted and certified to the House. The vote was:

Yeas—35

Mr. President	Graham	Myers	Sykes
Barron	Gruber	Peterson	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Williams
de la Parte	Lane (31st)	Scarborough	Wilson
Firestone	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	

Nays—None

HB 438—A bill to be entitled An act relating to the proof of execution of wills; creating Section 731.071, Florida Statutes; providing that an attested will may be made self-proved at the

time of its execution; providing the method of selfproof; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote HB 438 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	Johnson	Plante	Trask
Childers	Johnston	Poston	Vogt
Firestone	Lane (31st)	Saunders	Ware
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Gruber	Myers	Stolzenburg	Zinkil
Henderson	Peterson	Sykes	

Nays—None

By unanimous consent Senator de la Parte was recorded as voting yea.

SB 287 was laid on the table.

SJR 359—A joint resolution proposing an amendment to section 6(a) of article VII of the state constitution, relating to homestead tax exemption; requiring a five year residency in the state prior to claiming the exemption.

—was read the second time by title.

Senator Johnston moved the adoption of the following amendment:

Amendment 1—On page 1, line 23, after word "owner," strike balance of lines 23 and 24 and "exemption" on line 25

Senator Williams raised a point of order that the amendment was a nullity as it simply reversed the order of the vote.

The President ruled the point of order well taken and the amendment out of order.

Senator Sims moved the adoption of the following amendment which failed:

Amendment 2—On page 1, line 25, insert: or who is a registered voter of this state.

Senators Gallen and Sayler offered the following amendment which was moved by Senator Sayler and failed:

Amendment 3—On page 1, line 23, strike lines 23 through 25 and insert: the owner, and who is a permanent resident of this state on January 1, 1975, shall be exempt from taxation thereon, except

Senator Zinkil moved that the rules be waived and SJR 359 be read the third time in full. The motion failed to receive the necessary two-thirds vote for adoption. The vote was:

Yeas—19

Mr. President	Johnson	Peterson	Sykes
Brantley	Lane (31st)	Plante	Trask
Firestone	Lewis	Saunders	Winn
Gillespie	McClain	Sayler	Zinkil
Gruber	Myers	Smathers	

Nays—12

Childers	Johnston	Stolzenburg	Weber
Glisson	Lane (23rd)	Vogt	Williams
Gordon	Sims	Ware	Wilson

On motion by Senator Zinkil, consideration of SB 360, was deferred.

By Senators Vogt, Gallen, Barron, Horne, Brantley, Childers, Deeb, de la Parte, Firestone, Gillespie, Glisson, Gordon, Graham, Gruber, Henderson, Johnson, Johnston, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Peterson, Pettigrew, Plante, Poston, Saunders, Sayler, Scarborough, Sims, Smathers, Stolzenburg, Sykes, Trask, Ware, Weber, Williams, Wilson, Winn and Zinkil—

SCR 655—A Concurrent Resolution in Memoriam Irlo Overstreet Bronson

WHEREAS, he lived as one who had found “books in running brooks, sermons in stones, and good in everything”—an affable man with an outward quiet and unassuming dignity overlying a towering inner strength, and

WHEREAS, unswerving in devotion to family and friends, constant in duty to community and state, his was an exceedingly fruitful life, contributing peerlessly to Florida’s ranching and legislative circles, and

WHEREAS, we would honor his memory and express deep sorrow in his demise on Saturday, March 3, 1973, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That this resolution be recorded upon the Journals of the Senate and the House of Representatives of the State of Florida—

**IN MEMORIAM
IRLO OVERSTREET BRONSON**

—who was born at Kissimmee, Osceola County, Florida, August 3, 1900, the only child of George C. and Spicey Vianaha Overstreet Bronson, and reared on a farm on Shingle Creek Road in the county of his life-long residence.

He was educated in the public schools of Osceola County, graduated from Locust Grove Institute, near Atlanta, Georgia, and attended Rollins College. Campus activity: football and baseball.

In 1924 he was married to Miss Flora Bass of Kissimmee, who predeceased him. To them were born a son, Irlo, Jr., and a daughter, now Mrs. Frank Kelley. In 1972 he married Mrs. Mary Boynton Bass of Fort Pierce, a longtime family friend and widow of a relative by affinity. She survives him, together with his son, daughter, seven grandchildren and one great grandchild, all of Kissimmee.

This young and pioneering “cowboy son” of a pioneering family of Florida cattle ranchers got an early start in a life devoted to the ‘cow business’ he so loved. His paternal grandfather, George Washington Bronson, arrived from North Carolina shortly after the War Between the States and took up the cow business as did his maternal grandfather, E. L. D. Overstreet, another cattle pioneer who drove a herd of cattle to Osceola County from his native Georgia. In 1934 he assumed full management of the family enterprise when his father suffered a heart attack, and by dint of “ridin’ all day and workin’ all nite” soon expanded their holdings of ranch lands to ‘empire’ size.

His vision and courage to follow it—his love of and for the land, and the cows it fed, caused his name to become synonymous with the beef cattle industry. He helped form the Kissimmee Livestock Market in 1938, part of a number of such which formed a vital part of Florida’s livestock business; he was one of the founding fathers of the Florida State Cattlemen’s Association, and its president from 1946 to 1950. The simple word “IRLO” became so much a part of the heartbeat of this vast industry that ranchers, processors and cowboys alike used it as a hallmark from corporate board rooms to small camp fires.

In 1955 Irlo received the Swift Company Award (National) as “Outstanding Cattleman of the Year”. At his death the Sentinel-Star said “... ended a career that helped found the cattle industry in Florida and guided it to a position of prominence among the nation’s ranching states.”

Beyond these achievements in cattle ranching, and success as a citrus grower, he gave a long and distinguished service to his native state as a legislator. He served in the House of Representatives from 1943 through 1951. Elected to the Senate in 1952 he served there through the Extra Session of March 2-9, 1966; served as President Pro Tempore of the Senate in 1957. Senator Bronson, in his dedicated concern for Florida and Floridians, helped establish the vast Central and Southern Florida Flood Control District and, as a further tribute to his political integrity, was instrumental in the passage of the law by which roaming cows were removed from Florida’s highways.

Countless millions of people, from all nations, have and will enjoy the pleasures of Disneyworld—located primarily on lands Irlo Bronson had joined together and retained intact!

He was a member of the board of the First United Methodist Church of Kissimmee; a director of the First National Bank, Kissimmee; past president of the Osceola County Cattlemen’s Association; charter member of the Kissimmee Elks Lodge; member of Orange Blossom Lodge, AF&AM; a 32nd degree Mason; charter member of the Bahia Shrine Temple, Orlando; member of the Osceola Shrine Club and a city councilman of Reedy Creek, A Walt Disney World municipality.

BE IT FURTHER RESOLVED that copies of this resolution, duly attested, together with the condolence of these Bodies in session assembled, be forwarded to the family of this great Floridian, our distinguished and lamented friend and former colleague.

SB 419—A bill to be entitled An act relating to corporations not for profit; creating §617.02, Florida Statutes; providing that persons of less than majority age are eligible to serve as directors of corporations not for profit; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote SB 419 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Barron	Henderson	Plante	Trask
Brantley	Johnson	Poston	Vogt
Childers	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

By unanimous consent, Senators Pettigrew and de la Parte were recorded as voting yea.

SB 441 was taken up, together with:

By the Committee on Natural Resources and Conservation—

CS for SB 441—A bill to be entitled An act relating to salt water fisheries; amending §370.112, Florida Statutes; providing an exception to certain regulations for striped bass; providing that striped bass may be imported for culturing; providing that the division of marine resources may issue permits; providing for supervision by the division; providing an effective date.

—which was read the first time by title and SB 441 was laid on the table.

On motion by Senator Childers, by two-thirds vote CS for SB 441 was read the second time by title.

On motion by Senator Childers, further consideration of CS for SB 441 was deferred and retained on second reading without dissent.

SB 434—A bill to be entitled An act relating to probate law; amending §731.35, Florida Statutes, to reduce the time for election of dower and to revise the place of filing; amending §§733.15 and 733.16(1), Florida Statutes, to reduce the number of publications of notice to creditors and the time for filing claims and to revise the place of filing; amending §733.18, Florida Statutes, to reduce the times for payment of and filing objections to claims, to revise the place of filing and to require a copy of objections to be sent to the claimant's attorney; providing a saving clause; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 434 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Henderson	Plante	Vogt
Barron	Johnson	Saunders	Ware
Brantley	Johnston	Saylor	Weber
Childers	Lane (31st)	Scarborough	Williams
Firestone	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	
Gruber	Peterson	Trask	

Nays—None

By unanimous consent Senators de la Parte, Wilson and Pettigrew were recorded as voting yea.

On motion by Senator Barron, the session for Wednesday, April 25 was rescheduled for 2:00 p.m. until 5:00 p.m. and committee meetings rescheduled from 9:00 a.m. until 12:00 noon.

SB 442 was taken up, together with:

By the Committee on Natural Resources and Conservation—

CS for SB 442—A bill to be entitled An act relating to salt-water conservation; amending §370.08, Florida Statutes, adding subsection (10) thereto; prohibiting the use of chemicals in the capture of marine species unless a permit is obtained from the division of marine resources; providing a penalty; providing an effective date.

—which was read the first time by title and SB 442 was laid on the table.

On motions by Senator Childers, by two-thirds vote CS for SB 442 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Pettigrew	Sykes
Barron	Henderson	Plante	Trask
Brantley	Johnson	Poston	Vogt
Childers	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

By unanimous consent Senators de la Parte, Peterson and Wilson were recorded as voting yea.

SB 327—A bill to be entitled An act relating to public defenders; amending §27.56, Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-41, Laws of Florida; providing for the determination of the value of services of a public defender and the recordation of the judgment therefor; providing for the enforcement of such judgment; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 327 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Graham	Myers	Stolzenburg
Barron	Gruber	Peterson	Sykes
Brantley	Henderson	Pettigrew	Trask
Childers	Johnson	Plante	Vogt
Deeb	Johnston	Poston	Ware
Firestone	Lane (31st)	Saunders	Weber
Gillespie	Lane (23rd)	Saylor	Williams
Glisson	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil

Nays—None

By unanimous consent Senators Wilson and de la Parte were recorded as voting yea.

HB 281—A bill to be entitled An act relating to the legislative auditing committee; amending §11.40, Florida Statutes, 1971, to provide that during the two (2) year term of membership a member of each house shall serve as chairman; providing an effective date.

—was read the second time by title. On motion by Senator Firestone, by two-thirds vote HB 281 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Firestone	Gruber	Lane (23rd)
Barron	Gillespie	Henderson	Lewis
Brantley	Glisson	Johnson	McClain
Childers	Gordon	Johnston	Myers
Deeb	Graham	Lane (31st)	Peterson

Pettigrew	Sims	Vogt	Winn
Plante	Smathers	Ware	Zinkil
Poston	Stolzenburg	Weber	
Saunders	Sykes	Williams	
Saylor	Trask	Wilson	

Nays—None

By unanimous consent Senator de la Parte was recorded as voting yea.

SB 326—A bill to be entitled An act relating to the department of agriculture and consumer services; providing an appropriation from general inspection trust fund for construction of laboratory testing facilities; providing an effective date.

—was read the second time by title.

On motion by Senator Lane (31st) the following amendment was adopted:

Amendment 1—On page 1, line 26, strike "Supplemental" and insert: supplement

On motion by Senator Lane (31st), by two-thirds vote SB 326 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—38

Mr. President	Gruber	Pettigrew	Trask
Barron	Henderson	Plante	Vogt
Brantley	Johnson	Poston	Ware
Childers	Johnston	Saunders	Weber
Deeb	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—None

By unanimous consent Senator de la Parte was recorded as voting yea.

On motion by Senator Lane (31st), the rules were waived and SB 326 was ordered immediately certified to the House after engrossing.

SB 393—A bill to be entitled An act relating to equal rights; prohibiting discrimination on the basis of sex in the areas of loaning money, granting credit, or hiring, discharging or promoting employees; providing a penalty; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Brantley:

Amendment 1—On page 1, lines 16—18 strike "is guilty of a misdemeanor of the first degree, punishable only as provided in §775.083, Florida Statutes." and insert a period after the word "employees". Also insert a new sentence to read: Any person violating this act shall be liable in a civil action to the individual upon whom said discrimination has been perpetrated and said individual shall be entitled to collect compensatory damages.

Senator Scarborough moved the adoption of the following substitute amendment:

Amendment 2—On page 1, line 11 strike everything after the enacting clause and insert: Section 1. No person, as defined in §1.01(3), Florida Statutes, shall discriminate solely on the basis of sex in the areas of loaning money, granting credit, or hiring, discharging or promoting employees. Any person violating this act shall be liable in a civil action to the individual upon whom said discrimination has been perpetrated and said individual shall be entitled to collect compensatory damages.

Section 2. This act shall take effect October 1, 1973.

Senator Wilson moved the adoption of the following amendment to the substitute amendment which failed:

Amendment 2a—In section 1, strike the period after the word "damages" and insert: , reasonable attorneys' fees and costs.

On motion by Senator McClain the following amendment to the substitute amendment was adopted:

Amendment 2b—In Section 1. after the word "damages" insert: or obtain injunctive relief or both

Senator Wilson moved the adoption of the following amendment to the substitute amendment which failed:

Amendment 2c—On page 1, after "promoting" insert: or compensation of

Senators Weber and Gordon offered the following amendment to the substitute amendment which was adopted on motion by Senator Weber:

Amendment 2d—On page 1, line 5 strike "loaning" and insert: lending

Amendment 2 as amended was adopted.

The Committee on Commerce offered the following amendment which was moved by Senator Brantley and failed:

Amendment 3—On page 1, line 13 strike "any" and insert: no

The Committee on Commerce offered the following amendment which was moved by Senator Brantley and failed:

Amendment 4—On page 1, line 14 strike "who" and insert: shall

The Committee on Commerce offered the following amendment which was moved by Senator Brantley and failed:

Amendment 5—On page 1, line 14, strike the "s" from the word "discriminates"

On motion by Senator Scarborough, by two-thirds vote SB 393 as amended was read the third time by title.

On motion by Senator Scarborough the following amendment was adopted:

Amendment 6—On page 1 (title), line 8, strike "providing a penalty" and insert: providing a civil action and compensatory damages

Senator Wilson moved that the Senate reconsider the vote by which SB 393 as amended was read the third time and the Senate refused to reconsider.

SB 393 as amended passed and was ordered engrossed. The vote was:

Yeas—36

Mr. President	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saylor	Weber
Firestone	Lane (31st)	Scarborough	Williams
Gillespie	Lewis	Sims	Wilson
Glisson	McClain	Smathers	Winn
Gordon	Myers	Stolzenburg	Zinkil

Nays—None

By unanimous consent Senator Lane (23rd) was recorded as voting yea.

By permission Senators Gruber, Horne, Brantley, Childers, Deeb, de la Parte, Firestone, Gillespie, Glisson, Gordon, Graham, Johnson, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Peterson, Pettigrew, Plante, Poston, Sims, Smathers, Stolzenburg, Sykes, Trask, Vogt, Ware, Weber, Wilson, Winn and Zinkil were recorded as co-introducers of SB 393.

On motion by Senator Gruber, SB 350 was removed from the calendar by two-thirds vote and from further consideration of the Senate.

THIRD READING

On motion by Senator McClain, consideration of SB 285 was deferred.

SB 223—A bill to be entitled An act relating to the State Career Service System; amending §110.022(4), Florida Statutes, to provide for meritorious service awards to employees for ideas increasing state revenues; providing an effective date.

—was read the third time by title.

Senator Weber moved the adoption of the following amendment which failed:

Amendment 4—On page 1, line 24 strike the words "except new taxes or fees"

On motion by Senator Firestone, the rules were waived and time of adjournment was extended until 12:05 p.m.

Senator Weber moved the adoption of the following amendment which failed:

Amendment 5—On page 2, strike lines 1 through 3 and insert: is made by the legislature. Awards for eliminating or reducing state expenditures or improving operations shall be paid from the appropriation available to the state agency affected by the award or from any specific appropriation therefor. Awards for increasing revenues shall be first approved by the Legislature and shall be paid from the General Revenue Fund, not to exceed ten per cent (10%) of the first year's actual revenue increase.

SB 223 failed to pass. The vote was:

Yeas—14

Deeb
de la Parte
Gillespie
Gordon

Graham
Pettigrew
Poston
Saylor

Scarborough
Smathers
Stolzenburg
Weber

Williams
Winn

Nays—19

Mr. President
Barron
Brantley
Childers
Firestone

Gruber
Johnston
Lane (23rd)
Lewis
McClain

Peterson
Plante
Sims
Sykes
Trask

Vogt
Ware
Wilson
Zinkil

The Journal of April 18 was corrected as follows and approved:

Page 188, counting from the bottom of column 2, line 25, strike "Ways and Means" and insert: Commerce.

CO-INTRODUCER

By permission, Senator de la Parte was recorded as a co-introducer of SB 350.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:05 p.m. to convene at 8:30 a.m., April 20, 1973, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.